City of Arkadelphia Planning Commission Meeting November 10, 2022 at 5:30 p.m. City Hall Boardroom, 700 Clay Street Arkadelphia, Arkansas 71923

AGENDA

- 1. Call the Planning Commission to order
- 2. Consider the October 13, 2022 Planning Commission minutes
- 3. Staff report on rezoning of Parcel # 74-03298-000 / 1019 N 10th Street
- 4. Consider request to rezone Roger Wingfield Revocable Trust property from Multi-family Residential District (R-3) to Highway Commercial District (C-2).
- 5. Building Department Report, DeAnna Graves
- 6. Other business
- 7. Adjourn Planning Commission



Building Department Manager
DeAnna Graves
700 Clay St.
Arkadelphia, AR 71923
Ph: (870) 246-1818
deanna.graves@arkadelphia.gov

Date: November 1, 2022

To: Planning Commission

Cc: Gary Brinkley, City Manager; City Board of Directors; and Ed McCorkle, City Attorney

From: DeAnna Graves, Building Department Manager

Re: Roger A. Wingfield Revocable Trust's petition to rezone property from R-3 Multi-Family Residential

Use District to C-2 Highway Commercial District.

Roger A. Wingfield Revocable Trust owns parcel # 74-03298-000 along North 10th Street and just to the south of 1021 N 10th Street. He is requesting to rezone said property from Multi-Family Residential District R-3 to Highway Commercial District C-2. The remaining R-3 zoned property, as shown on the map (the property between the yellow boundary and the R-1 boundary line to the south) will continue to serve as a buffer between the C-2 Highway Commercial District and the R-1 Residential Use District. This will not change the land use abutting the R-1 District.

As required, property owners within 200 feet of the land proposed to be rezoned were notified of the public hearing and subject matter. A legal notice was also published on October 20, 2022 in the Southern Standard. To date, staff has received no objections to the request.

Staff suggests forwarding the rezoning ordinance to the City Board with a recommendation for approval.

ORDINANCE NO. 0-22-

AN ORDINANCE TO REZONE CERTAIN PROPERTY GENERALLY DESCRIBED AS PARCEL 74-03298-000 / N 10TH STREET (KNOWN AS 1019 N 10TH STREET) IN SECTION 8 TOWNSHIP 7 SOUTH, RANGE 19 WEST IN THE CITY OF ARKADELPHIA, CLARK COUNTY, ARKANSAS; AMENDING THE ZONING MAP OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, Roger Austin Wingfield Revocable Trust wishes to rezone property described below to develop it at its highest and best use; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2022 and voted to recommend that the Arkadelphia Board of Directors rezone property described herein from the present Multi-Family Residential Use District (R-3) to Highway Commercial District (C-2).

THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

SECTION 1: That the following properties, to wit:

A PT OF THE SE/4 SW/4 OF SECTION 8,T7S,R19W DESCRIBED AS COMMENCING AT THE SE CORNER OF THE SAID SE/4 SW/4 AND RUNNING N 89°02' WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 138.3 FT TO A POINT THAT IS ON THE WEST RIGHT OF WAY LINE OF HWY 67; RUN THENCE N 18°11' WEST ALONG SASID RIGHT OF WAY LINE A DISTANCE OF 1109.4 FT TO THE POB: RUN THENCE S 79°03'WEST A DISTANCE OF 200 FT; RUN THENCE N 18°11'W A DISTANCE OF 175 FT; THENCE N 79°03' EAST A DISTANCE OF 200 FT TO THE SAID WEST RIGHT OF WAY LINE OF HWY 67; RUN THENCE S 18°11' EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 175 FT TO THE POB.

SECTION 2: Severability – If any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

SECTION 3: Any ordinance or parts of ordinances in conflict herewith are hereby repealed and this ordinance shall be in full force and effect from and after its passage and publication.

PASSED AN	ID APPROVED this c	day of, 2022.
APPROVED	:Scott Byrd, Mayor	
ATTEST:	Samantha Roybal, City Clerk	

Petition No: 42

CITY OF ARKADELPHIA PETITION FOR A REZONING

TO THE ARKADELPHIA PLANNING COMMISSION:

Application is hereby made to the City Planning Commission, pursuant to the Arkansas Law on city planning, Act 186 of 1957, Acts of Arkansas, as amended, and the Arkadelphia Zoning Ordinance No. B-425 as amended, petitioning for a rezoning of the following described area:

- 1. Please attach legal description: See Attached
- 2. Street address or approximation thereof: Parcel # 74-03298-000 / N 10th Street
- 3. Title to this Property is vested in: <u>Roger A. Wingfield Revocable Trust, Roger A.</u>

 <u>Wingfield Trustee</u>

Address: 1043 Pine Street, Arkadelphia, Arkansas 71923

- 4. It is desired that the zoning district boundaries shown on the official Zoning Districts Map be amended and that the area described above be reclassified from the present <u>Multi-Family Residential Use District (R-3) Zone to Highway Commercial (C-2) Zone.</u>
- 5. Present use of property: Residential Vacant
- 6. Desired use of property: Commercial
- 7. Are there any deed restrictions pertaining to the use of this property? \underline{Yes} No \underline{X}

Please describe any restrictions:

- 8. A statement and diagram explaining why the proposed changes will not conflict with surrounding land uses is enclosed as a part of this petition.
- 9. A map of the subject property is attached herewith and the map shows
 - (1) The approximate dimensions of each property line and any adjoining rights-of-way
 - (2) The approximate outline location of any buildings on subject property and adjacent properties
 - (3) Land uses and owner's names for all lands within 200 feet of the boundaries of the subject property.
- 10. The application fee of one hundred dollars (\$100.00) has been paid to the City of Arkadelphia.
- 11. It is understood that Notice of Public Hearing before the Arkadelphia Planning Commission will be Published at least 15 days prior to said hearing in a newspaper of general circulation in the city, and that notice of said hearing must be circulated by the applicant, by certified mail return-receipt restricted delivery, to all other parties in interest, including all owners of land within 200 feet of the boundary of the proposed rezoning.

pd 10/6/22 \$100.00

Page 1 of 3 Ck # 1758

Lainie Thomason

- 12. If subject property is rezoned, it is understood by petitioner that unless construction has commenced for the proposed use within one year of rezoning, then said property would revert to the zoning in effect before filing of this petition.
- 13. If petition is disapproved, then the petitioner may appeal such disapproval provided that he/she states specifically in writing to the City Clerk why he/she considers the Planning Commission's findings to be in error. Such appeal shall be filed with the City Clerk within fifteen (15) days of receipt of notice of the Planning Commission's action.
- 14. Under penalties of perjury, I declare that I have examined this petition, including accompanying materials and statements, and to the best of my knowledge and belief it is true, correct, and complete. PETITIONER: Kosyz Wm for (2 ADDRESS: 1043 Pine Street, Arkadelphia, Arkansas 71923 TELEPHONE: 870 403 1973 (Note: Use additional sheets if above spaces are inadequate.) (Do not write below this line) City of Arkadelphia Application fee paid (yes) \(\square \) (no) Date: 9/21/2022 Filing date 10/6/22 Are all 14 points of application in order? Is the property platted on a plat of record with the Circuit Clerk? Property lies in Lands Not Platted (LNP) Book No 647 Page No 853 Do the existing street rights-of-way, at least meet the minimum requirements as presented in the Comprehensive Development Plan? Yes

Explain

Time and date of public hearing: 5:30 p.m. November 10, 2022

Notice published (newspaper and date) The Southern Standard October 20, 2022	
Copy attached? Yes	
Petition recommended for approval by Planning Commission?	_
DateSubject to:	
Petition disapproved by Planning Commission? Date:	
Reasons:	
Has the reason for disapproval been given to the petitioner?	
Date and name:	
Planning Commission's approval certified to Board of Directors? Date:	
Did the Board of Directors approve the zoning amendment? Date:	
Subject to:	
Copy of Ordinance attached	
Has the reproducible copy of the Zoning Districts Map been amended? Date:	
Did the Board of Directors disapprove the zoning amendment? Date:	
Reasons:	
Signed by:	
Date	

NOTICE

Notice is hereby given that the Planning Commission will hold a public hearing on November 10, 2022 at 5:30 p.m., in the City Hall Boardroom, 700 Clay Street, Arkadelphia, Arkansas to consider a petition to rezone the following property from Multi-Family Residential Use District (R-3) to Highway Commercial District (C-2): known as 1019 N. 10th Street and generally described as part of the SE 1/4 SW 1/4 of Section 8, Township 7 South, Range 19 West owned by Roger A. Wingfield Revocable Trust in the City of Arkadelphia, Clark County, Arkansas. All interested parties may be heard at said time and place or may notify the Planning Commission by letter of their views on this matter. The application is on file for public inspection in the Building Department at 700 Clay Street, Suite 121, Arkadelphia, Arkansas. Dated this 14th day of October 2022. By Samantha Roybal, City Clerk.



October 19, 2022

To: Arkadelphia Planning Commission

From: Roger & Kadre Wingfield

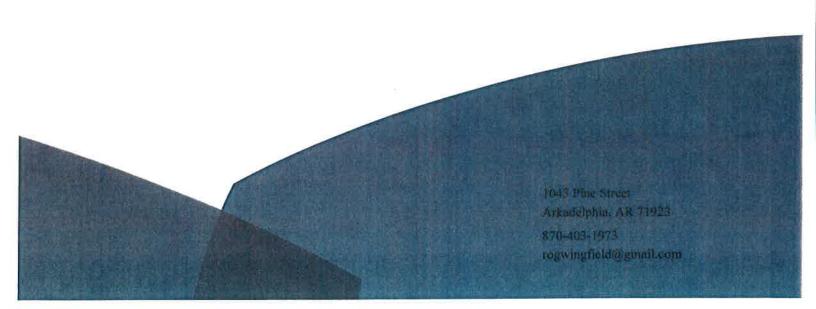
The request to rezone parcel 74-03298-000 will be for unknown future development. I have owned the lot where the old gas station was for several years. Even though that was a commercial building and on a state highway apparently it was never zoned commercial. Mr. Williams daughter, Kristy Perser, sold me his accounting office last spring. That is parcel 74-03303-000. I now have a section on the back of my property zoned commercial C2 and the front zoned residential. I am asking for the front of the lot by the highway to be zoned commercial C2.

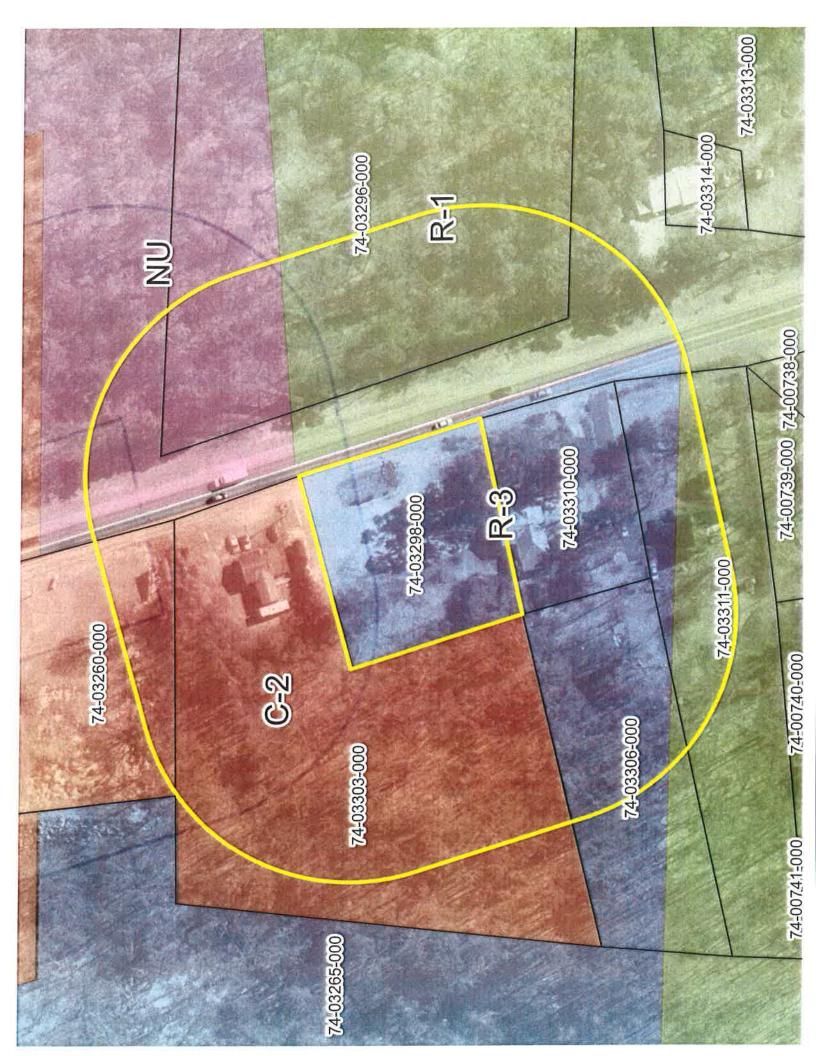
My plan over the next several years is to cut the timber, which I have already purchased a permit for, and fill in and level this location.

If you have any questions please let me know.

Sincerely,

Roger Wingfield





PETITION FOR A REZONING NO. 42

Owner: Roger Austin Wingfield Revocable Trust
Property known as: 1019 N. 10th Street; Arkadelphia, AR 71923
Generally described as: part of the SE ½ SW ½ of Section 8, Township 7 South, Range

19 West

Item 9. (3) Land uses and owners' names for all lands within 200 feet of the boundaries of the subject properties

Property Address	Land Use	Owner's Name	Owner's Address
N PT NE SE SW E OF HWY S-T-R 08-07-19	Exempt	Ouachita Baptist University	OBU Box 33756 Arkadelphia, AR 71998
N 123' SE NW SE SW S-T-R 08-07-19	Residential Vacant	Matthew Cook Haylee Cook	1017 N 10 th Street Arkadelphia, AR 71923
1017 N 10th Street	Single-Family	Matthew Cook Haylee Cook	1017 N 10 th Street Arkadelphia, AR 71923
1015 N 10 th Street	Single-Family	Clark Allen Kuyper Pamelia Lynn Kuyper	1015 N 10 th Street Arkadelphia, AR 71923
N 10 th Street / Desoto Bluff Trail	Exempt / Park	City of Arkadelphia	700 Clay Street Arkadelphia, AR 71923
1014 N. 10 th Street	Single-Family	W.C. Bratton Rosa Ellen Bratton	1010 N. Street Arkadelphia, AR 71923
1014 N. 10 th Street	Single-Family	Robin Lynn McNabb	1010 N. Street Arkadelphia, AR 71923



Building Department Manager DeAnna Graves 700 Clay St. Arkadelphia, AR 71923 Ph: (870) 246-1818 deanna.graves@arkadelphia.gov

October 18, 2022

Dear Property Owner:

Roger A. Wingfield Revocable Trust has petitioned to rezone property from R-3 Multi-Family Residential Use District to C-2 Highway Commercial District.

Staff has reviewed the rezone request and the surrounding land uses. The parcel to be rezoned abuts:

- C-2 to the North and West.
- R-3 Multi-Family Residential Use District to the South
- R-1 Residential Use District to the East

The remaining R-3 zoned property, as shown on the map (the property between the yellow boundary and the R-1 boundary line to the south) will continue to serve as a buffer between the C-2 Highway Commercial District and the R-1 Residential Use District.

As required, you are receiving this notification since you own property within 200 feet of the land proposed to be rezoned. A legal notice is scheduled for publication on October 20, 2022 in the Southern Standard. See legal notice below.

Notice is hereby given that the Planning Commission will hold a public hearing on November 10, 2022 at 5:30 p.m., in the City Hall Boardroom, 700 Clay Street, Arkadelphia, Arkansas to consider a petition to rezone property from Multi-Family Residential Use District (R-3) to Highway Commercial District (C-2) known as 1019 N. 10th Street and generally described as part of the SE ½ SW ½ of Section 8, Township 7 South, Range 19 West owned by Roger A. Wingfield Revocable Trust in the City of Arkadelphia, Clark County, Arkansas. All interested parties may be heard at said time and place or may notify the Planning Commission by letter of their views on this matter. The application is on file for public inspection in the Building Department at 700 Clay Street, Suite 121, Arkadelphia, Arkansas. Dated this 14th day of October 2022, by Samantha Roybal, City Clerk.

Sincerely,

DeAnna Graves

Building Department Manager

Deline Bornes

Enc. 2



☐ Insured Mall
☐ Insured Mall Restricted Delivery (over \$500)

Drl dolphir-AR 71998

PS Form 3811 July 2020 PSN 7530-02-000-9053

7020 0640 0001 3511 3540

2. Article Number (Transfer from service label)



700 Clay Street, Suite 121 Arkadelphia, AR 71923 **Building Department** DeAnna Graves















U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 3588 Domestic Mail Only For delivery information, visit our website Arkedelphics AR 71923 351,1 Certified Mall Fee \$4.00 0924 05 \$ 4.00 Extra Services & Fees (check b) Return Receipt (hardcopy) Return Receipt (electronic) \$0.00 \$0.00 \$0.00 \$0.00 0001 Postmark Certified Mail Restricted Delivery Here Adult Signature Required Adult Signature Restricted Delivery \$ 0640 Postage s lo Pueses S lo Postage and Fees 7.85 10/26/2022 7020

REGULAR CALLED MEETING

PLANNING COMMISSION/BOARD OF ZONING ADJUSTMENT

Board Room

October 13, 2022

5:30 P.M.

MEMBERS:

Diedra Middleton

Llewellyn Terry

Bill Phelps

Lawrence Phillips Tom Tobin (absent)

Gracie Neal

Terry Roberts Matt Johnson

OTHERS:

Gary Brinkley, City Manager

DeAnna Graves, Building Dept. Manager

Lainie Thomason, Recorder

CALL TO ORDER

Bill Phelps called the Board of Zoning meeting to order at 5:32 p.m.

PUBLIC HEARING TO CONSIDER A VARIANCE FROM ORDINANCE 0-13-10 AT 29 STEPHENWOOD 5:37 P.M.- 5:58 P.M.

Doug Cole spoke on the reason for the variance request. Mr. Cole explained due to financial restraints he could not completely pave or concrete the property where the mini-storage will be, but would like to begin paving or concreting from the entrance off of Stephenwood and go back as far as his budget allows and finish the sealed surface pavement as the future phases of development are completed.

Mr. David Graham was present and asked for clarity of the request.

A motion was made by Diedra Middleton, seconded by Llewellyn Terry, to grant the variance as submitted, allowing Mr. Cole to temporarily use 6 inches of ARDOT Class 7 Base material instead of the required sealed surface pavement in the parking and loading area until all units have been constructed.

The motion passed on a roll call vote and the vote was as follows:

"Aye" Lawrence Phillips "Ave" Diedra Middleton "Aye" Gracie Neal "Ave" Llewellyn Terry "Nay" "Ave" **Bill Phelps Terry Roberts** Tom Tobin "Absent" "Nay" Matt Johnson

ADJOURNMENT

A motion was made by Diedra Middleton, seconded by Gracie Neal to adjourn the Board of Zoning at 6:02 p.m.

CALL TO ORDER

Bill Phelps called the Planning Commission meeting to order at 6:02 p.m.

APPROVAL OF PLANNING COMMISSION/BOARD OF ZONING ADJUSTMENT MINUTES FROM AUGUST 11, 2022

A motion was made by Lawrence Phillips, seconded by Matt Johnson to approve the minutes from the August 11, 2022, Planning Commission meeting.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Absent"		
Matt Johnson	"Ave"		

APPROVAL OF PLANNING COMMISSION/BOARD OF ZONING ADJUSTMENT MINUTES FROM AUGUST 18, 2022

A motion was made by Lawrence Phillips, seconded by Terry Roberts to approve the minutes from the August 18, 2022, Planning Commission meeting.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Absent"		
Matt Johnson	"Aye"		

CONSIDERATION OF A BUSINESS SIGN AT 625 CLAY ST IN THE CBRD

Lisa Francis, owner of Anointed Touch Massage Therapy, requested a 33" H x 64" W pole sign in front of her business at 625 Clay Street, within the CBRD. She also asked for permission for a possible 18" x 24" sign in the future on the side of the building so that clients know where to enter.

A motion was made by Lawrence Phillips, seconded by Gracie Neal to approve the signs and locations at 625 Clay Street.

The motion passed on a roll call vote and the vote was as follows:

Diedra Middleton	"Aye"	Lawrence Phillips	"Aye"
Llewellyn Terry	"Aye"	Gracie Neal	"Aye"
Bill Phelps	"Aye"	Terry Roberts	"Aye"
Tom Tobin	"Absent"		
Matt Johnson	"Aye"		

PC/BZA	Meeting
Oc tober	13, 2022
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ADJOURNMENT

There being no further business to discuss, Llewellyn Terry made the motion, seconded by Matt Johnson to adjourn. The motion passed unanimously, and the meeting adjourned at 6:13 p.m.

Bill Phelps, Chairman	Lainie Thomason, Recorder

ADDITIONAL ATTENDEES

Lisa Francis Brenda Graham David Graham Doug Cole Tracey Gaither Stenna Gaither

*BUILDING DEPARTMENT STAFF REPORT

November 7, 2022

DEVELOPMENT IN PROCESS:

- 2859 Walnut Ouachita Valley Meats –in the rough in stage, needs permit for Vent-a-Hood installation
- 605 S 10th Street Health Dept. working on the interior, waiting on brick
- 203 N 10th Street Tiger Mart fuel tanks have been installed, interior work been performed
- 214 N 25th Street Vet Clinic interior work being done
- 3050 Twin Rivers Drive Hospital MRI building waiting on MRI shields, waiting on HVAC & Plumbing permits to be issued
- 1709 Westgate Single Family Dwelling interior work being done
- 1402 Pine Street Edward Jones waiting on glass for windows, rough in & top out done on plumbing & electrical
- 2 Airport Road Airport Terminal interior work being done, waiting on glass for windows
- 109 Birch Cove Single Family Dwelling needs rough in & top out on plumbing & electrical
- 2742 Evonshire Drive Single Family Dwelling needs top out on plumbing, interior work being done
- 1609 Pine Street Abatement being done, demo projected to start 11/14/2022
- 946 N 8th Street OBU Track dirt work in process
- 29 Stephenwood Need HVAC plans approved and issue permit.
- 800 Clinton Street Mary & Martha's Florist framing done, plumbing in process
- 525 Nowlin Drive 3 Bay Hangar demo week of 11/11/2022
- 13 Pinewood Drive Single Family Dwelling footings to be done 11/7/2022
- 1313 N 10th St Arkadelphia Glass and Mirror permit issued
- MH Russell Bridge Concrete poured on 11/4/2022 Hope to be completed by 11/11/2022
- 2915 Cypress Gaithright Building Alteration to Building work has not started.
- Water tower being repainted
- My Canvas Your Nails Alteration to Building

FUTURE PROJECTS

- Arby's moving to new location
- Radio Tower 333 N 22nd Street
- Development at 2410 Pine Street waiting on replat document? We have plans for review.
- Barkadelphia Dog Park 15th and Millcreek
- 2750 Pine Street Suite 5 B Potentially a beauty school